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SUBJECT: KOSOVO - INSTRUCTIONS FOR APRIL 21 COUNCIL
DISCUSSION ON UNMIK

11. The Department requests that USUN draw on the following points during the April 21 UN Security Council Debate on the Secretary General's report on UNMIK activities. The three essential points that should be made are:

-- The Republic of Kosovo has made great progress in its first two months after independence -- in particular, it has already begun to implement key provisions of the Ahtisaari Plan and other measures to safeguard the rights of minorities.

-- We encourage UNMIK to respond robustly to provocations and challenges to peace and security in Kosovo.

-- We are concerned by Belgrade's recent provocative actions in Kosovo, including its decision to hold municipal elections in Kosovo and its ongoing pressure on Kosovo Serbs to reject cooperation with Kosovo's authorities.

12. Begin specific talking points:

-- We would like to thank the Secretary General for his report and for the UN's efforts in Kosovo during this difficult period. We also wish to thank the leadership of UNMIK, SRSG Ruecker and his deputy, for striving to ensure peace and security even when presented with extremely difficult challenges.

-- Today I would like to make three points.

-- First, the Republic of Kosovo has now been an independent state for two months and is making great progress. Its independence marked the end of the long, difficult process of Yugoslavia's breakup, which created many threats to international peace and security in recent years.

-- Even as the Council has remain divided, the democratically elected government of Kosovo -- supported by 36 nations who have recognized Kosovo, including seven on this Council -- is steadfastly working to implement the Ahtisaari plan and offer a brighter future to the country and the region.

-- We particularly commend the European Union for its leadership on this issue. The EU -- the regional organization with the greatest stake in Kosovo's democratic development -- has admirably assumed its responsibilities in this troubled part of Europe. The United States strongly supports the EU's efforts to promote economic and democratic development in Kosovo and will engage actively as part of the 15 country steering

group to help Kosovo implement the provisions of the Ahtisaari proposal.

-- In Kosovo itself, we are pleased to see the country's leaders showing political maturity during a challenging time. Kosovo is following through on its commitments, expressed most articulately in its declaration of independence, to create a democratic, just, and multi-ethnic state.

-- In particular, Kosovo's leadership has demonstrated a steadfast commitment to act responsibly and ensure extensive protections for its citizens. The Kosovo Assembly has adopted a constitution that enshrines the provisions of the Ahtisaari plan and has passed 19 of the 30 laws required to implement the plan, including laws to protect minority rights, decentralize authority to local governments, and safeguard cultural and religious heritage.

-- We continue to urge the Government of Kosovo and UNMIK to reach out actively to the Serb community in Kosovo and offer a positive alternative to isolation and separatism. We urge the Kosovo Serb community to reciprocate by engaging with the Government of Kosovo and UNMIK in its own best interest. We are pleased to see that Prime Minister Thaci has included three ministers from minority communities in his government, two of them from the Kosovo Serb community, and has established an office directly

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under him to reach out to minorities.

-- On June 15th, Kosovo's new constitution will enter into force. The International Civilian Representative, named by the steering group, has certified that it is compliant with the Ahtisaari plan and international experts have stated that this constitution meets the highest standards for democratic self-governance. Its adoption will complete the work begun in 1999 under UN auspices to build new institutions of democracy in post-war Kosovo.

-- Second, Kosovo continues to face great challenges, and UNMIK and KFOR must continue to respond robustly to provocations and challenges to peace and security in Kosovo. Immediately after independence, we saw violent mobs attack United Nations customs stations on the border with Serbia. One Serb minister regrettably referred to this violence as "legitimate." Several weeks later, we saw major, well-organized violence directed against UN and KFOR personnel in northern Mitrovica.

-- Above all, this Council must stand united in condemning all acts of violence and destruction of property and condemning those who seek to foment or organize violence from within or outside of Kosovo. Those who disagree with Kosovo's declaration of independence have a right to do so peacefully, but we should not tolerate violent acts of any kind.

-- Moreover, we must condemn in the strongest possible terms the attacks on UNMIK and KFOR personnel using fragmentation hand grenades and military assault weapons that led to injuries among UN peacekeepers and the tragic death of an Ukrainian police officer. We offer our heartfelt condolences to the Ukrainian government and the officer's family. We call on the Council and UN staff to support UNMIK and KFOR leadership in carrying out their mandate to take all necessary actions to preserve peace and stability in Kosovo and to prevent, deter, and respond to any further incidents of this type.

-- Also, we all agree that resolution 1244 remains in effect and that per this resolution the United Nations retains certain responsibilities for all of Kosovo's

territory. UNMIK must continue to control Kosovo's borders and ensure the implementation of all border administrative functions, including customs, throughout Kosovo.

-- Third, we are deeply concerned by Belgrade's recent provocative actions in Kosovo, including its decision to hold municipal elections in Kosovo on May 11, despite repeated statements from UNMIK that these elections are not consistent with Resolution 1244. We understand that the government of Serbia has decided to go ahead with these elections, regardless of the UN's position.

-- We are also concerned by Belgrade's actions to pressure Kosovo Serbs from cooperating with authorities in Pristina or from interacting with their Albanian neighbors. Belgrade's position runs contrary to the principle of multi-ethnicity that the UN has sought to foster in Kosovo over the last nine years.

-- With the entry into force of Kosovo's new constitution in June, the UN role in Kosovo will necessarily have to adapt, particularly as other international presences begin to assume their responsibilities in an independent Kosovo.

-- In its declaration of independence, Kosovo expressed deep gratitude to the United Nations for the role it has played in helping Kosovo recover from war. The Council should work to ensure that this positive UN legacy in Kosovo continues.

End Points.
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